



ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

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ADVISORY NOTICE 07-01 **OFFICE OF THE COMMISSIONER** **DEPARTMENT FOR NATURAL RESOURCES**

401 Water Quality Certifications

Effective February 1, 2007, the Department for Natural Resources will be reviewing and issuing Clean Water Act Section 401 Water Quality Certifications (401 WQC) for surface coal mining activities.

The transition of the coal 401 WQC program to DNR from DEP follows the recommendations of the Commonwealth Energy Policy Task Force to identify streamlining opportunities during the mine permitting process.

For DNR to fulfill their responsibility of providing a time-efficient certification process to the coal industry, the following procedures will be implemented:

- A completed DNR Water Quality Certification application form must be submitted to DNR for any permitting action that requires a federal 404 permit by the Corps of Engineers.
- It is highly recommended that the DNR WQC application be submitted to DNR during the SMCRA application review process and no later than the application date for the COE 404 permit.

Attached for your convenience is the DNR WQC application form and instructions for filling out the form. The completeness of the application and the timely submittal to DNR will ensure a streamlined, coordinated review and issuance of the permits necessary for a coal mining operation.

Please direct your questions and concerns to Paul Ehret, Director of the Division of Mine Permits at (502) 564-2320.